

with 37 CFR §1.48 by the addition of Richard D. Fields to the inventive entity.

The present invention is directed to a method and apparatus for use in backflow prevention so that the direction of outflow can be adjusted with respect to the direction of inflow. As described in the specification, this permits a reduction in the costs of parts, labor and design involved in installing such devices and reduces undesirable pressure loss.

Claims 1, 3, 5, 7, 10 and 12 stand rejected under 35 USC §102(b) over Rand. The Examiner states that threads 36 allow for relative movement between the "conduit" first and second positions to "permit" a change in flow direction. Although the screw threads 36 might permit relative rotation of the conduit between first and second valves, such a rotation would not result in a change in the outlet flow direction. To emphasize this distinction, claim 1 has been amended to refer to the first portion being movable to cause a change in the outflow direction.

Furthermore, Rand discloses that the sections are in screw-threaded relation. Page 2, lines 7-8. Claim 1, on the other hand, has been amended to refer to the first portion being movable with respect to the second portion in a non-screw-threaded relation, as shown, e.g., in Figs. 11-17.

Further, because the section-coupling disclosed by Rand is a screw-coupling, an unscrewing of the screw threads 36 will create a potential for leakage. Claim 1 has been amended to refer to causing a change in the outflow direction in a substantially leak-free manner as described, e.g., at page 11, line 19.

Because Rand fails to disclose (1) first and second portions being movable so as to cause a change in the outlet flow direction, (2) a first portion movable with respect to a second

portion in a non-screw-threaded relation, and (3) a first portion movable with respect to a second portion to cause a change in outflow direction in a substantially leak-free manner, claim 1, as amended, is patentable over Rand. Claims 3 and 10 are patentable at least as dependent from claim 1. Claim 5 has been amended in a manner similar to the amendments made to claim 1 and is patentable for similar reasons. Claim 7 has been amended in a manner similar to the amendments made to claim 1 and is patentable for similar reasons. Claim 12 is patentable at least as dependent from claim 7.

Claims 1, 3, 4, 5, 7, 10 and 12 are rejected under 35 USC §102(b) over the Cla-Val Catalog. The Examiner states that the bolt and flange type connection permits relative movement of the conduit first and second sections. It is unclear from the pictures referenced by the Examiner whether the portions that are relatively movable are located between first and second backflow preventor valves. However, even if this were the case, the bolt and flange connection would, at most, permit rotation to a finite number of discrete positions. In contrast, claim 1 has been amended to refer to causing a change in outflow direction to any of an infinite number of outflow directions. This is described in the specification, for example, at page 11, line 36. Furthermore, the regions in Cla-Val that appear to be the inlet opening and outlet opening of what the Examiner appears to consider the "housing", apparently define parallel inflow and outflow directions. Thus, relative movement of the conduit in the manner suggested by the Examiner would not cause a change in the outflow direction with respect to the inflow direction.

Because it is unclear whether the flanges disclosed in Cla-Val reside between the backflow preventer valves and because the Cla-Val catalog fails to disclose (1) a first portion movable

with respect to a second portion to cause a change in the outflow direction to any of an infinite number of outflow directions and (2) fails to disclose a first portion which is movable with respect to the second portion so as to cause a change in the outflow direction, claim 1 is patentable over the Cla-Val catalog.

Claims 3, 4 and 10 are patentable at least as dependent from claim 1.

Claims 5 and 7 have been amended in a manner similar to the amendments made to claim 1 and are patentable for similar reasons.

Claims 2, 6, 8, and 11 are rejected over Rand or the Cla-Val catalog in view of Della. Claims 2, 6, 8 and 11 are patentable at least as dependent from now-allowable independent claims.

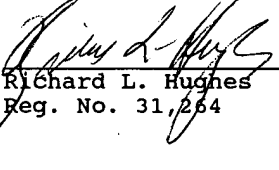
Claims 9 and 13 have been rejected for obviousness-type double patenting over claim 12 of U.S. Patent 4,107,888 in view of Rand or Cla-Val. The Examiner recognizes that claim 12 of '888 lacks the "housing reconfigurable" to change the direction of the outflow flow path. The Examiner relies on Rand and Cla-Val to supply the deficiency of claim 12. Claim 9, however, has been amended in a fashion similar to the amendment made to claim 1 and thus includes features which are not disclosed in Rand or Cla-Val, as noted above, and thus claim 9 is patentable for reasons similar to those discussed above in connection with claim 1. Claim 13 is patentable at least as dependent from claim 9.

The Notice of Draftsman's Drawing Review has been received. Applicants will provide formal drawings upon receipt of a Notice of Allowance.

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The application now appearing to be in form for  
allowance, reconsideration and allowance thereof are respectfully  
requested.

Respectfully submitted,  
TOWNSEND and TOWNSEND

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